

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

(File this application via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. 08 0129
ICC Office Use Only

Please provide the appropriate information in the () areas in the heading below.

CRICKET COMMUNICATIONS, INC. :

Application for Authority to Operate
As a Wireless Carrier - Facilities Based :
on a Statewide Basis in the :
State of Illinois. :

CHIEF CLERK'S OFFICE
2008 FEB 22 P 12:42
ILLINOIS
COMMERCE COMMISSION

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any)

FEIN # 33-0879924

CRICKET COMMUNICATIONS, INC.

Address: Street **10307 Pacific Center Court**

City **San Diego** State/Zip **California 92121**

2. Authority Requested: (Mark all that apply) 13-403 Facilities Based Interexchange

 13-404 Resale of Local and/or Interexchange

 13-405 Facilities Based Local

 X Wireless Facilities Based

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance. **None of these rules are applicable to wireless carriers**

 Part 710 Uniform System of Accounts for
Telecommunications Carriers

 Part 735 Procedures Governing the Establishment of Credit,

Billing, Deposits, Termination of Service and
Issuance of Telephone Directories for Local
Exchange Telecommunications Carriers in the State
of Illinois

____ Section 735.180 Directories

____ Other

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
 - (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
 - (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
 - (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document. **Not Applicable.**
5. In what area of the state does the Applicant propose to provide service?

Statewide

6. Please attach a sheet designating contact persons to work with Staff on the following:
- a) issues related to processing this application
 - b) consumer issues
 - c) customer complaint resolution
 - d) technical and service quality issues
 - e) "tariff" and pricing issues
 - f) 9-1-1 issues
 - g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

For items concerning the application (item a), the contact is

**Suzanne Toller
Davis Wright Tremaine, LLP
505 Montgomery Street
Suite 800
San Francisco, CA 94111**

**Telephone: 415 276-6500
Fax: 415 276-6599
email: suzannetoller@dwt.com**

For items b through g, the contact person is

**Leticia Grajiola
Supervisor, Customer Relations
Cricket Communications
5775 DTC Blvd. Ste 305**

Greenwood Village, CO 80111

Telephone: 303 734-7671

Fax. 720 374-9130

e-mail: lgrajiola@cricketcommunications.com

7. Please check type of organization?

☐ Individual ☒ Corporation
☐ Partnership Date corporation was formed Sept. 16, 1999
In what state? Delaware
☐ Other (Specify)

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois. **See Attachment A.**

9. List jurisdictions in which Applicant is offering service(s).

Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, Nevada, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, S. Carolina, Tennessee, Texas, Utah, Washington and West Virginia

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES (Please provide details) ☒ NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

☒ YES ☐ NO

If YES, describe fully.

Applicant and/or its parent entity are currently involved in multiple patent disputes filed in jurisdictions outside of Illinois as well as shareholders derivative and class action securities lawsuits filed in California. In addition, Applicant and its affiliates are sometimes involved in certain other claims, arising in the ordinary course of business, seeking monetary damages and other relief, none of which matters, based upon current information, are expected to have a material adverse effect on Applicant's business, financial condition and results of operations. None of these lawsuits, or any previous judgments against the company, have any bearing on the Applicant's ability to provide service to its customers in the State of Illinois.

12. Has Applicant provided service under any other name?

☒ YES ☐ NO

If YES, please list : **Cricket Wireless, Inc.**

13. Will the Applicant keep its books and records in Illinois? ☐ YES ☒ NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested. **Applicant requests such permission.**

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in narrative form, resumes of key personnel, or a combination of these forms. **See Attachment B.**

15. List officers of Applicant.

**S. Douglas Hutcheson, President and Chief Executive Officer and Director
Robert J. Irving, Jr., Senior Vice President and General Counsel
Albin Moschner, Executive Vice President and Chief Marketing Officer
Leonard C. Stephens, Senior Vice President, Human Resources
Glenn Umetsu, Executive Vice President and Chief Technical Officer
Grant A. Burton, Vice President, Chief Accounting Officer & Controller
Stefan C. Karnavas, Treasure and Vice President of Procurement & Strategic Planning
Virginia D. Estes, Assistant Secretary**

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ☐ YES ☒ NO*
(with the possible exception of publicly traded stock)

If YES, list entity. _____

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

Applicant will bill on a monthly basis either via text message, or if its customer elects, paper billing.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

Given the nature of Applicant's pay as you go service, Applicant anticipates that its customers will rarely have billing problems. To the extent that complaints arise, customers can raise them with Cricket's customer service department or at a Cricket store. Cricket strives to resolve complaints promptly. If the customer is not satisfied with the complaint resolution, he or she can request that the complaint be reviewed by a supervisor and ultimately by Cricket's Customer Relations Department. If a customer is still not satisfied with the response from the Customer Relations Department, the customer will be advised that he or she can seek assistance from the Federal Communications Commission (FCC). Given the Illinois Commerce Commission's limited jurisdiction over wireless providers, Applicant does not plan to affirmatively notify customers of the option to seek assistance from the ICC.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company?

800-274-2538 or 611 from the customer's wireless phone

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES* ☐ NO (*to the extent that they are applicable to wireless providers).

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

The slamming rules are not applicable to wireless providers. With regard to cramming, given the pay as you go billing model employed by Applicant, there is little risk that a customer will get charged for a service that he or she did not request. Moreover, Applicant has processes and procedures in place to prevent customers from being charged for the telecommunications services they did not order.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 732, 735, 755, 756, 757, 770, and 772?

____ YES ____ NO (If no, please provide an explanation.) **Not Applicable.**

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

____ YES ____ NO **Not Applicable. See Rule 760.10, wireless providers do not file tariffs.**

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service. **See Exhibit C.**

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? X YES* ____ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

***Applicant will use its own facilities in part; specifically Applicant will install its own antennas, base stations and mobile switching centers for the transmission of its radio signals. Applicant will also rely on the facilities of landline telephone companies to interconnect its base stations to its switch and to interconnect its switch to the Public Telephone Switched Network.**

If NO, which facility provider(s)'s services does the Applicant intend to use?

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

Wireless communication services.

28. Will technical personnel be available at all times to assist customers with service problems?

 X YES* ____ NO ***Applicant provides electronic support to customers 24x7; Applicant provides live customer care support during normal business hours.**

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? _____ YES _____ NO **Not Applicable.**


(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of Illinois)
County of Cook)ss

ANTHONY MUSCATO makes oath and says that he is VICE PRESIDENT-LAUNCH
(Insert here the name of affiant) (Insert the official title of the affiant)

of Cricket Communications, Inc.
(Insert here the exact legal title or name of the Applicant)

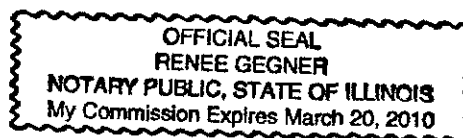
that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.

Anthony Muscato
(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/ Renee Gagner
(Title of person authorized to administer oaths)

in the State and County above named, this 19th day of February, 2008

Renee Gagner
(Signature of person authorized to administer oath)





Federal Communications Commission
Wireless Telecommunications Bureau
Radio Station Authorization

Page 1 of 1
229

LICENSEE NAME: Cricket Licensee (Reaution), Inc.

ROBERT J. IRVING
CRICKET LICENSEE (REAUTION), INC.
10307 PACIFIC CENTER COURT
SAN DIEGO CA 92121

FCC Registration Number (FRN)

0009927922

Call Sign

WQGD722

File Number

Radio Service

AW - AWS, 1710-1755/2110-2155
MHz bands

Grant Date	Effective Date	Expiration Date	Print Date
12-18-2006	12-18-2006	12-18-2021	12-19-2006

Market Number	Channel Block	Sub-Market Designator
CMA397	A	O

Market Name: Illinois 4 - Adams

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

SPECIAL CONDITIONS OR WAIVERS/CONDITIONS

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended. See 47 U.S.C. Section 606.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <http://wireless.fcc.gov/uls> and select "License Search". Follow the instructions on how to search for license information.



Federal Communications Commission
Wireless Telecommunications Bureau
Radio Station Authorization

Page 1 of 1
214

LICENSEE NAME: Cricket Licensee (Reauction), Inc.

ROBERT J. IRVING
CRICKET LICENSEE (REAUCTION), INC.
10307 PACIFIC CENTER COURT
SAN DIEGO CA 92121

FCC Registration Number (FRN)

0009927922

Call Sign

WQGD707

File Number

Radio Service

AW - AWS, 1710-1755/2110-2155
MHz bands

Grant Date	Effective Date	Expiration Date	Print Date
12-18-2006	12-18-2006	12-18-2021	12-19-2006

Market Number	Channel Block	Sub-Market Designator
CMA305	A	O

Market Name: Alton-Granite City, IL

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

SPECIAL CONDITIONS OR WAIVERS/CONDITIONS

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended. See 47 U.S.C. Section 606.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <http://wireless.fcc.gov/uls> and select "License Search". Follow the instructions on how to search for license information.



Federal Communications Commission
Wireless Telecommunications Bureau
Radio Station Authorization

Page 1 of 1
185

LICENSEE NAME: Cricket Licensee (Reauction), Inc.

ROBERT J. IRVING
CRICKET LICENSEE (REACTION), INC.
10307 PACIFIC CENTER COURT
SAN DIEGO CA 92121

FCC Registration Number (FRN)

0009927922

Call Sign

WQGD673

File Number

Radio Service

AW - AWS, 1710-1755/2110-2155
MHz bands

Grant Date	Effective Date	Expiration Date	Print Date
12-18-2006	12-18-2006	12-18-2021	12-19-2006

Market Number	Channel Block	Sub-Market Designator
CMA011	A	O

Market Name: St. Louis, MO-IL

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

SPECIAL CONDITIONS OR WAIVERS/CONDITIONS

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended. See 47 U.S.C. Section 606.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <http://wireless.fcc.gov/uls> and select "License Search". Follow the instructions on how to search for license information.



Federal Communications Commission
Wireless Telecommunications Bureau
Radio Station Authorization

Page 1 of 1
239

LICENSEE NAME: Cricket Licensee (Reaution), Inc.

ROBERT J. IRVING
CRICKET LICENSEE (REAUTION), INC.
10307 PACIFIC CENTER COURT
SAN DIEGO CA 92121

FCC Registration Number (FRN)

0009927922

Call Sign

WQGD732

File Number

Radio Service

AW - AWS, 1710-1755/2110-2155
MHz bands

Grant Date	Effective Date	Expiration Date	Print Date
12-18-2006	12-18-2006	12-18-2021	12-19-2006

Market Number	Channel Block	Sub-Market Designator
CMA511	A	O

Market Name: Missouri 8 - Callaway

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

SPECIAL CONDITIONS OR WAIVERS/CONDITIONS

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended. See 47 U.S.C. Section 606.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <http://wireless.fcc.gov/uls> and select "License Search". Follow the instructions on how to search for license information.